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Attorney for Defendant
HELMUT'S MARINE SERVICE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH DALE,

Plaintiff,

v.

KEEFE KAPLAN MARITIME, INC.,
VOLVO PENTA OF THE AMERICAS,
INC., HC COMPOSITES LLC, HCGB
COMPOSITES, LLC; WORLD CLASS
CATAMARANS, WORLD CAT;
HELMUT'S MARINE SERVICE,

Defendants.

Case No. CV 10-526 MEJ

**STIPULATION TO EXTEND TIME TO
RESPOND TO INITIAL COMPLAINT
BY NOT MORE THAN 30 DAYS
(L.R. 6-1(a))**

Complaint Served:
March 15, 2010

Current Response Date:
April 5, 2010

New Response Date:
April 19, 2010

Defendant Helmut's Marine Service, by and through its attorneys of record,
and Joseph Dale ("Plaintiff"), by and through his attorneys of record, hereby
stipulate and agree as follows:

WHEREAS, Plaintiff's Initial Complaint was filed on February 5, 2010, and
served on March 15, 2010;

WHEREAS, Defendant Helmut's Marine Service's response to Plaintiff's
Initial Complaint is currently due on April 5, 2010;

WHEREAS, Defendant Helmut's Marine Service has not requested or
obtained any prior extensions to respond to the Initial Complaint;

1 **WHEREAS**, pursuant to Local Rule 6-1(a), counsel for Defendant Helmut's
2 Marine Service and counsel for Plaintiff have agreed to extend the period of time in
3 which Defendant may answer or otherwise plead in response to Plaintiff's Initial
4 Complaint by fourteen (14) days.

5 IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN COUNSEL AS
6 FOLLOWS:

7 Defendant Helmut's Marine Service shall have up to and including April 19,
8 2010 within which to answer or otherwise plead in response to Plaintiff's Initial
9 Complaint.

10 **IT IS SO STIPULATED.**

11 DATED: April 5, 2010

THE SIMMONS FIRM

12
13
14 By: /s/ Dennis E. Simmons
15 Dennis E. Simmons
16 Attorneys for Defendant
17 HELMUT'S MARINE SERVICE

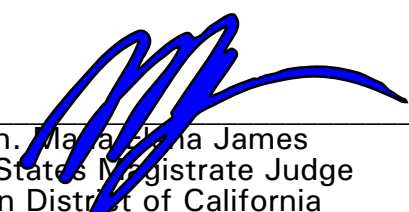
18 DATED: April 5, 2010

BIRNBERG & ASSOCIATES

19 By: /s/ Corey A. Birnberg
20 Corey A. Birnberg
21 Attorneys for Plaintiff

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23 DATED: April 6, 2010

24 
25 The Hon. Maria Elena James
26 United States Magistrate Judge
27 Northern District of California

1 IN THE UNITED STATES DISTRICT COURT/Northern District of California
2 CASE NAME: Dale v. Keefe Kaplan Maritime, Inc., et al.
3 CASE NUMBER: CV 10-526 MEJ

4 **PROOF OF SERVICE BY U.S. MAIL**

5 On April 5, 2010, I served via United States mail a copy of the following
6 document: **STIPULATION TO EXTEND TIME TO RESPOND TO INITIAL
7 COMPLAINT BY NOT MORE THAN 30 DAYS** in the within action.

8 At the time of service, (1) my business address was 30 Professional Center
9 Parkway, Ste. A, San Rafael, California 94903; (2) I was employed in the County
10 of Marin, California; (3) I was over the age of 18 and not a party to the within
11 action; (4) I was familiar with my business' practice for collection and processing of
12 correspondence for mailing with the United States Postal Service; (5) I placed the
13 document in envelopes addressed as follows:

14 Cory A. Birnberg, Esq.
15 Birnberg & Associates
16 1083 Mission Street, 3rd Floor
17 San Francisco, CA 94103

18 Attorney for Plaintiff Dale

Brian A. Kelly, Esq.
Duane Morris LLP
One Market, Spear Tower
Suite 2000
San Francisco, 94105-1104

Attorney for Volvo Penta

19 George G. Robb, Esq.
20 Gibson Robb & Lindh LLP
21 100 First Street, 27th Floor
22 San Francisco, CA 94105

Joshua A. Southwick, Esq.
Gibson, Robb & Lindh
100 First Street, 27th Floor
San Francisco, CA 94105

23 Attorneys for HC Composites LLC, et al.

24 and, (6) the envelopes were sealed and placed for collection and mailing in
25 accordance with ordinary business practices. I declare under penalty of perjury
26 under the laws of the United States of American that all of the foregoing
27 statements are true and correct and, if called upon, would testify competently
28 thereto. Executed on April 5, 2010, in San Rafael, California.

/s/ Susan Ardery
Susan Ardery